U.S. COURT OF APPEALS FOR
DISTRICT OF COLUMBIA CIRCUIT
OCT 28 2002
RECEIVED

No 02-1125

IN THE

SUPREME COURT OF THE UNITED STATES

Frank M. Coelho - PETITIONER

VS.

CITY OF ANGELS CAMP, ET AL.- RESPONDENTS

ON PETITION FOR WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR
THE DISTRICT OF COLUMBIA CIRCUIT

APPENDICES
PETITION FOR WRIT OF CERTIORARI

Frank M. Coelho
P.O. Box 1031
Altaville, California 95221
(209) 736-0289

31PP

INDEX AND APPENDICES

APPENDIX [A] Petitioner seeks review of United States Federal Court of Appeals DECISION, Filed April 19, 2002, THEN IGNORED! Denied Petition for Rehearing!

APPENDIX [B] Petitioner seeks REVIEW of United States Federal Court of Appeals, decision to DENY petitioners Right to have Judgement entered on the record., on Writ of Mandamus, Rule 55(a). NOT 55(b).

APPENDIX [C] Petitioners seeks Review of the District Court decision to enter "DEFAULT ONLY", and NOT JUDGEMENT ON THE RECORD.

APPENDIX [D] Exhibits, originals and copies of Judges Orders, from "both" the Court of Appeals, and the District Court, with proof of affidavits, AMOUNT CERTAIN.

APPENDIX [A]

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 02-7015 **September Term, 2001**

01cv00495

Filed On:

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT
FILED APR 19 2002
CLERK

Frank Manuel Coelho,
Appellant

v.

City of Angels Camp, et al.,
Appellees

BEFORE: Edwards, Randolph, and Garland, Circuit Judges

ORDER

Upon consideration of the petition for writ of mandate, which is construed as a petition for writ of mandamus, and the notice of appeal, it is

ORDERED that the petition for writ of mandamus be denied. Although there was an entry of default by the district court clerk on June 26, 2001, the entry of a default judgment is not automatic. Coelho must move for entry of judgment by default. Rule 55(b) of the Federal Rules of Civil Procedure gives Coelho two options to pursue a default judgment. If Coelho were to submit an affidavit, claiming a "sum certain or ... a sum which can by computation be made certain," the district court clerk could enter a default judgment. Rule 55(b)(1); see Enron Oil Corp. v. Diakuhara,10 F.3d 90, 95 (2d Cir. 1993). In "all other cases" (i.e., where there is not a sum certain), Coelho would need to apply to the court for a default judgment, and the district court would have to decide whether to enter a default judgment. Rule 55(b)(2).

Because Coelho has not complied with the requirements of Rule 55(b) for obtaining a default judgment, and because he must do so before being entitled to a default judgment, he is not entitled to the extraordinary relief requested. See Allied Chemical Corp. v. Daiflon, Inc., 449 U.S. 33, 35 (1980) (per curiam) (mandamus is an extraordinary remedy and will be granted only when the petitioner cannot obtain relief by invoking an adequate, ordinary remedy). It is

---

No. 02-7015 **September Term, 2001**

FURTHER ORDERED, on the court's own motion, that Coelho show cause, within thirty days of the date of this order, why this appeal should not be dismissed for lack of a final order, or in the alternative, if the district court's order filed November 9, 2001 is final, then why the order should not be summarily affirmed. The response to the order to show cause may not exceed 20 pages. Failure to comply with this order will result in dismissal of the appeal for lack of prosecution. See D.C. Cir. Rule 38.

The Clerk is directed to send a copy of this order to appellant both by certified mail, return receipt requested, and by first class mail.

Per Curiam

Frank Manuel Coelho
PO Box 1031
Altaville, CA 95221

UNITED STATES COURT OF APPEALS
333 CONSTITUTION AVE, N.W.
WASHINGTON, DC 20001-2866

OFFICIAL BUSINESS

CERTIFIED

Z 020 608 052

MAIL

WASHINGTON APR 19'02 DC

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1st Notice 1/24
2nd Notice
Return

Received and signed for. 4/29/02 at 12:01 PM Noon.

APPENDIX [B]

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 02-7015

September Term, 2001

01cv00495

Filed On:

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT
FILED AUG 8 2002
CLERK

Frank Manuel Coelho,
Appellant

v.

City of Angels Camp, et al.,
Appellees

BEFORE: Edwards, Randolph and Garland, Circuit Judges

ORDER

Upon consideration of appellant's petition for rehearing filed June 27, 2002, it is

ORDERED that the petition be denied.

Per Curiam

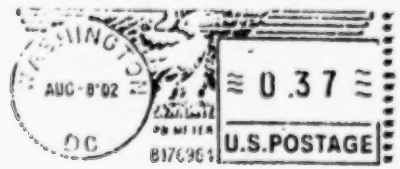
FOR THE COURT:
Mark J. Langer, Clerk

BY: Michael C. McGrail
Deputy Clerk

Memo: 90 Days Stands August 8th 2002 above November 8th!

UNITED STATES COURT OF APPEALS
333 CONSTITUTION AVENUE, N.W.
WASHINGTON, DC 20001-2866

OFFICIAL BUSINESS



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10:02 AM
Answer by
Sept 5, 2002

95221X1031

APPENDIX [C]

JAN 11 2002
RECEIVED

SYLLABUS

JAN 11 2002
NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

" Petitioner has won the case fair and square at a great deal of stress, time, costs and emotion"

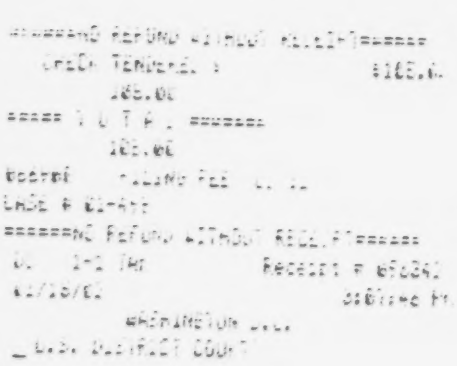
The clerk after being informed by the court administrator recorded on the record the default, not the default judgement as applied for by the petitioner twice during the 180 day period, in which the defendant's and each of them could have come in to the case and set aside the default for a court judgement from the court.

After the 180 day period, which the defendant's right to set aside, terminated. The petitioner made two attempts for an order, and learned from a court order that the case had been removed, and was closed. By petitioner making two applications to the court, the petitioner still received no judgement from the court.

" THE WRIT SHOULD ISSUE BECAUSE OF THE ABOVE "

THE LAW IS: 46 Am Jur 2d Sub. Section. 320.

GENERALLY: 46 Am Jur 2d, Page 639, Line 93
"... THE DEFAULT AUTHORIZES THE ENTRY OF ANY JUDGEMENT WARRANTED BY THE FACTS ALLEGED...."



N) 105.00 paid

10

FRANK MANUEL COELHO

Plaintiff,

v.

CITY OF ANGELS CAMP, et al.
Defendants.

Civil Action No. 01-495 (EGS)

FILED
NOV 9 2001
NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

O R D E R

It is this eighth day of November, 2001, hereby

ORDERED that in view of the entry of a default by the Clerk of the Court on June 26, 2001, this case is REMOVED from the active calendar of the Court without prejudice to further proceedings as may be appropriate by plaintiff to obtain judgment against the defendants.

11/8/01
DATE

Emmet G. Sullivan
United States District Judge

Notice to:

Frank Manuel Coelho
P.O. Box 1031
Altaville, CA 95221

N

9

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Frank Manuel Coelho Plaintiff, v. City of Angels Camp, et al. Defendant's.	)	Civil Action No. 01-495 (EGS) DEFAULT JUDGEMENT

It is this nineth day of November, 2001, and pursuant to ORDER issued and further filed November 9th, 2001, default by the clerk of the Court being entered on June 26, 2001, against the defendants, a default judgement in favor of the plaintiff is hereby granted in the amount of $365,000.00. IT IS SO ORDERED.

DATE

Emmett G. Sullivan
United States District Judge

Refer to file in Judge. Sullivan's chambers is denied. [signature] 12/19/01

Returned From Court January 5th 2001

APPENDIX [D]

Frank Manuel Coelho
P.O. Box 1031
Altaville, California 95221-1031

AFFIDAVIT OF
Frank Manuel Coelho

State of California)
)
County of Calaveras)

I. Frank Manuel Coelho do solemnly depose and state as follows:

The petitioner/plaintiff. had made every effort to be lawful, ethical, and timely in all filings with the Court. in an attempt to obtain a rightful "default judgement entry on the record", plaintiff/petitioner filed affidavit's. of truth. which were are entered on the record.

A default was in fact entered on the record June 26. 2001, the plaintiff/petitioner requested numerous times to get the default judgement. to no avail, thereafter filing a Writ of Mandamus with the Appeals Court. wherein the record did contain affidavits for amount certain of $365,000.00. and keeping an eye on the pacer. on the internet found out the Appeals Court is denying the writ of mandamus based on plaintiff/petitioner moving the Court for entry of default judgement! **Therefore Coelho, herewith moves for default judgement to be entered thereupon the record, and Coelho being notified of the same.** The Courts records indicate the matter in its entirety was in fact done by "AFFIDAVIT'S", the plaintiff/petitioner **has claimed from the beginning of his claim for amount certain of $365,000.00, plus interest of 12%.**

Plaintiff/petitioner. by this affidavit makes claim for amount certain of $365,000.00, based on facts, by record, and submitted affidavits claiming petitioner/plaintiff right for claim.

Plaintiff/petitioner claims entitlement to an entry on the record of default judgement. of the amount certain of $365,000.00. AND, if not found then, plaintiff/petitioner requests relief that the Court accept this "Affidavit", as proof positive of the truth.

Verification of Affidavit

I Frank Manuel Coelho, know the contents of the foregoing affidavit to true, correct and not mis-leading as to the truth, and facts contain in the case known as Case number: 1:01-Civil 000495-DLB-AWI, under appeal from the District Court of Columbia. The above affidavit as stated , the facts contained therein are true, and correct under the penalty of perjury.

Dated: April 24, 2002

Frank Manuel Coelho, Petitioner/Plaintiff

In Relation to:
Frank Manuel Coelho
Private Party Citizen
P.O. Box 1031
Altaville, California 95221-1031
(209) 736-0289

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

In the Matter of the Petition of
Frank Manuel Coelho,
Petitioner,

v.

The District Court, [the honorable]
[Emmett G. Sullivan, Judge]
Respondent

COURT OF APPEALS CASE No. 02-7015
Case No. 1:01CV00495
AFFIDAVIT FOR; PETITIONER-MOVANT REQUEST FOR ENTRY OF DEFAULT JUDGEMENT WITH RESPONSE AND DECLARATION OF FRANK MANUEL COELHO, IN SUPPORT OF DEFAULT JUDGEMENT- ORDER REQUESTED

Rule 55(b), Rule 21, and Rule 79(a)

TO: THE HONORABLE JUSTICE'S: EDWARDS, RANDOLPH, AND GARLAND

AFFIDAVIT OF FRANK MANUEL COELHO

I, Frank Manuel Coelho, a private party citizen, in propria persona, declare: and depose as follows: I, am a Private Party Citizen, the Petitioner/Plaintiff, in the above captioned matter, I am over the age of 18 eighteen years, I am not an attorney, I am a Citizen of the United States of America , representing myself in propria persona, in an exhaustive attempt to obtain an order for entry of default judgement in the above captioned case, default already having been entered, June 26, 2001, in favor of the plaintiff and further requesting the same sent to petitioner.

ARGUMENT:

As shown by the petitioners copies, and exhibit's herewith. **"THE PETITIONERS COPIES SHOWING DECLARATIONS WERE IN FACT FILED",** Plaintiffs exhibit's "(a), AND (b)" No. (1), thru (7) , and moving for entry of default judgement. Petitioners **" notarized Motion and Affidavit, filed January 11, 2002, FOR AMOUNT CERTAIN OF $365,000.00,** (See petitioners exhibits (a) & (b), (1) thru. (7) EXCERPTS FROM THE PETITIONERS COPIES OF THE RECORD FILED. A great deal of emotional stress, enormous costs and forcing the plaintiff to go an extra mile!. The Petitioner requests the record be set straight, based on evidence herewith, denoted as plaintiffs exhibit's (a),& (b), (1) thru. (7) and this honorable Court Order the "Default Judgement" issue as a matter of law, good cause shown.,The facts set forth are petitioners , affidavit and personal knowledge, and the facts are true and correct, according to filed evidence as known to petitioner, EXHIBIT'S "(a) & (b), (1) thru. (7), and may cause the Court to take judicial notice, declarant having his personal copies filed on the record, conclusive of more than one affidavit exists on the record, the plaintiff request relief in **the amount certain of $365,000.00, and now should be well over $455,000.00,** with 12% interest as requested in petitioners complaint. (See reference, 3] of Title 28 USC Sec. 2072), Plaintiff should be entitled under claim of like circumstance.

Apparently the entire record was inadvertently NOT FORWARDED to this Court, and **"DOES IN FACT EXIST ON THE LOWER COURTS RECORD".**

WHEREFORE based on the aforementioned facts, and submissions therewith the petitioner prays for and requests relief in the form of an Order of Entry of Default Judgement, based on the finding that **the filing of affidavits do exist on the record** for **amount certain of $365,000.00.**

I declare under penalty of perjury under the laws of the State of California and the United States of America, that the foregoing is true and correct.

Dated: April 23, 2002

Frank Manuel Coelho, Deponent/Declarant
Petitioner/Movant/Plaintiff

VERIFICATION-ATTESTATION

I Frank Manuel Coelho, know the contents of the foregoing, knowing them to be true and correct, not mis-leading. I verify the enclosures are true and correct. I herewith state I have previously filed a declaration with the court, and it is filed, on the Court records. I further depose the reasoning for the record possibly not showing a declaration filed therein, may be an inadvertent mis-take somehow.

Dated: April 23, 2002

Frank Manuel Coelho, Declarant/Petitioner

STATE OF CALIFORNIA)
)
COUNTY OF CALAVERAS)

On the 24th day of April 24, 2002, before me, the undersigned Notary Public, in and for said State, personally appeared Frank Manuel Coelho, , personally know to me (or proved to me, on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that his signature on the instrument the person, or entity upon behalf of which the person, acted, executed the instrument.

Witness my hand and Official Seal

_____
CALIFORNIA Notary Public

United States Court Of Appeals
District of Columbia
555 Constitution Avenue, N.W.
Washington, D.C. 20001

Appeals Case No:
Case Number: 1:01-CV-5740-AWI-DBI
Frank Manuel Coelho, v. City of Angels Camp, California

PROOF OF SERVICE BY CERTIFIED MAIL

I am A United States citizen, over the age of 18 years and reside in the County of Calaveras, State of California, and not a party to this matter. My address is:

Jannette Martinez
P.O. Box 204
Angels Camp, California 95204

On **APRIL 24, 2002**, I served the following document's, described as:

1. Affidavit of Frank Manuel Coelho in support of;
2. Petitioner-Movant Request for Entry of Default Judgement;
3. Response to Petitioners Appeal, by Writ of Mandate; and
4. Declaration of Frank Manuel Coelho, in Support of Default Judgement -Order Requested;
5. With attached Exhibit's (A) and (B), and (1) through (7) attachments thereto.

The above named document's were herewith served upon **THE UNITED STATES APPEALS COURT, COLUMBIA DISTRICT, at 555 Constitution Avenue, N.W., Washington D.C. 20001, By "CERTIFIED MAIL, green Card Service, return receipt requested.** And additional parties served are:

The Honorable Emmett G. Sullivan, Judge
United States District Court
555 Constitution Avenue, N.W.
Washington, D. C. 20001

By: placing a true and correct copy in the united States Postal service during regular business hours, Pre-Paid First Class Mail. All services made had a Proof of Service thereto attached.
Executed on:

I declare under penalty of perjury the foregoing is true and correct.

Date 4-24-02

Jannette Martinez

Jannette Martinez, citizen

In Relation of:
Frank Manuel Coelho
P.O. Box 1031
Altaville, California 95221-1031
(209) 736-0289

UNITED STATES APPEALS COURT
FOR THE DISTRICT OF
COLUMBIA

People of the State of California
IN RELATION OF, Frank Manuel Coelho

Petitioner,

vs.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Respondant,

Case No. 1:01-CV00495 E g S

MOTION FOR
WRIT OF MANDATE
WITH POINTS AND AUTHORITIES
IN SUPPORT THEREOF, REQUEST
FOR FINDINGS OF FACT AND
CONCLUSIONS OF LAW

FRAP.- RULE- 21
FRCP.-RULE- 79(a)

[Special Appearance only]

BENEFICIAL INTEREST

COMES NOW the people of the state of California, in relation of Frank Manuel Coelho, Private Party-Citizen, who owns the Grant Deed on certain real property, a patented mining ownership, grant deed, now located within the City of Angels Camp, County of Calaveras, State of California.

Copy Filed with Court
E.G.S. Judge
January 11, 2002

BEST AVAILABLE COPY

State of California

County of Calaveras } ss.

On 1-9-02 (Date), before me, Jodi A Martin Notary Public (Name and Title of Officer (e.g. "Jane Doe, Notary Public")),

personally appeared Frank Manuel Coelho (Name(s) of Signer(s))

☐ personally known to me

☑ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(s), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.

Jodi A Martin
Signature of Notary Public

LI01 JODI A. MARTIN LI01
COMM. #1244354
NOTARY PUBLIC - CALIFORNIA
CALAVERAS COUNTY
My Commission Expires: Dec 3, 2003

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

© 1997 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 Prod. No. 5907 Reorder: Call Toll-Free 1-800-876-6827

IRREPARABLE DAMAGE THREATENED AND/OR SUSTAINED

The petitioner has no other plain, speedy adequate remedy at law other the relief sought in this petition, because unless other wise directed by this court, respondent court has in fact removed the matter from the active calendar of the court without prejudice, a lawful clear abuse of discretion, failing to enter thereupon the record, judgement for and in behalf of the plaintiff and so notifying the plaintiff of the same.

WHEREFORE, Petitioner directs that:

An order issue under seal of this court commanding the respondent to consider the abuse of discretion, abuse of process, based on the afore stated facts in this petition, and that a default judgement be entered thereupon the record and further issued to petitioner, as a matter of right, if not as a matter of law. Further the amount certain, $365,000.00 prayed for in the original filing, and any further relief which the court deems reasonable under like circumstances.

Date: 1-7-02

Frank Manuel Coelho, Petitioner

AFFIDAVIT

State of California)
) SS
County of Calaveras)

I, Frank Manuel Coelho, do solemnly depose and state as follows:

Prior to the Filing of my suit in the District of Columbia, Washington D.C., on June 6, 2001, I did attempt every reasonable and ethical method to avoid, suing the defendant's and each of them, however their collective non-response to all attempts, to discuss the matter, their continued harassments left this plaintiff/petitioner no choice but to seek out a legal method to stop the problem.

The plaintiff/petitioner had made every effort to abide completely by the rules of court, was timely in all filings, and filings were by affidavit, timely served upon all defendant's and each of them, wherein no response was received by this declarant.

A default entered on the record was in fact obtained by the plaintiff/petitioner, however not without difficulty. The plaintiff/petitioner submitted request after request, together with an prepared order and then a prepared default judgement for the court in the interest of time, whereby the plaintiff received no filings entered on the record, no response from the court, and finally on November 20, 2001, received an order by the court REMOVING THE CASE FROM THE ACTIVE CALENDAR AND CLOSING THE SAME. The plaintiff/petitioner, filed a Writ of Mandate with the District of Columbia Appeals Court, in an effort to compel the district court to enter upon the record a default judgement in favor of the plaintiff, and issue the same to petitioner.

L101 JODI A. MARTIN L101
COMM. #1244354
NOTARY PUBLIC - CALIFORNIA
CALAVERAS COUNTY
My Commission Expires Dec 3, 2003

Filed with Court January 11th, 2002

THEREFORE, for good and just cause; and in the interest of justice:

1. Petitioner as a matter of right, as a matter of law, should be granted an order for relief by the facts hereinabove as shown.
2. Petitioner Should be awarded the amount certain of $365,000.00 as prayed for in petitioners original suit.
3. Other just relief as this court deems proper under like circumstances given.

Dated: 1-7-02

Frank Manuel Coelho, Petitioner

Filed in 4th Court January 11th 2002

On this 8th da Jan, 2002 CITIZEN E [signature]

being duly sworn, and as such deposed, and did personally appear before me, and is known to be the Citizen described in, and who executed the foregoing affidavit and notice, and acknowledged the contents thereof, as true and correct and not mis-leading, and that he executed the same under oath as his free act and deed as a Citizen/sovereign in the above said County, State, and Country.

[signature] (Seal)

Jodi A. Martin
Notary Public

JODI A. MARTIN
COMM. #1244354
NOTARY PUBLIC - CALIFORNIA
CALAVERAS COUNTY
My Commission Expires Dec 3, 2003

Commission Expires: 12-3-03

END OF AFFIDAVIT

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POINTS AND AUTHORITIES IN SUPPORT Thereof.
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Respondent, The District Court of Columbia
Statement of the facts
Basis for Relief
Petitioners Claim
Absence of Inadequacy of Other Remedies
Irreparable Damage Threatened and/or sustained
Relief

VERIFICATION
CERTIFICATION
PROOF OF SERVICE

EXHIBITS

Exhibit #1.	Ct. "ORIGINAL ORDER and ENVELOPE", removal of case from court calendar
Exhibit #2.	Ct. Docket Court Administrator question letter from plaintiff, with envelopes/originals, for verification of dates/time.
Exhibit #3	Copy of Order, made by plaintiff, sent to court August 14, 2001, w/receipts originals of: " Certificate of Mailing".
Exhibit #4	Petitioners Hand made Graph, disseminating filings, and time periods.
Exhibit #5	Copy of Default Judgement, sent to court by plaintiff, and green card originals attached.

POINTS AND AUTHORITIES
AFFIDAVIT OF PETITIONER
ORDER, (proposed)

Filed with Court January 11, 2002

File copy as sent Certified mail

FRANK M. COELHO
P.O.BOX 1031
ALTAVILLE, CALIFORNIA 95221-1031

uNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
****

FRANK MANUEL: COELHO,

Plaintiff,

CITY OF ANGELS CAMP, ET AL.
RICHARD MATRANGA, CITY COUNSEL;
TIMOTHY SHEARER, CITY ADMIN.;
OLEN MURPHY, CITY
CODE ENFORCEMENT;
THOMAS SPENCE, CITY POLICE DEPT.;
SEVERALLY and JOINTLY

Defendant's,

/

Case No: 1:01CV00495

WRIT. OF PRAECIPE
MOTION TO ENTER
CLERKS DEFAULT
F.R.C.P. 55(a)

On **March 6, 2001**, Frank Manuel: Coelho, the plaintiff in this matter, filed a complaint in the above cited **Case Number: 1:01CV00495**. On **May 23, 2001**, Plaintiff had service of Summons and Complaint, with all related documents attached, with proof of service signed, attached and returned to United States District Court of Columbia, of due process of law by Green Card Service, which Defendant's and each of them were given (20) TWENTY days to respond, an additional time was given allowing for mailing, and no response was given .

THEREFORE the Plaintiff demands and respectfully requests a **clerks default be entered on the record** by due process of law.

Dated: 5/06/01

Frank Manuel Coelho
FRANK MANUEL: COELHO, PLAINTIFF

Review: (a) to adjudge that the correct process has been completed in Administrative Claim Process Claim #000123, between the parties therein and (b), to adjudge that the Administrative Judgement as entered, is in accordance with the administrative fact(s) and Law(s) as evidenced by the Administrative Hearings Officer's Administrative Judgement Claim #000123 as found on the Public Record as instrument number: 00707741 Washington County recorders Office and (c), to adjudge a judgement against the Respondent(s) in favor of the Petitioner for the knowledge by failure of Respondent(s) acting under malice and wanton, reckless disregard for Petitioner's due process of law and liberties, which failure to act held Petitioner Hostage to a foreign jurisdiction for over 180 days while engaging in extortion by Putting Petitioner's business and life on hold. A 57 year old man. Innocent without conviction, force to condition of involuntary servitude, under false imprisonment submissive to the control and will of the Respondent's who are acting under the color of law causing injury and loss of freedom, rights immunities, livelihood, business right, liberty, property, both personal and real, endeavers, personal and business loss of reputation. Petitioner's demand for Payment is entitled to be adjudged at approximately $10,000.00 per day, against Respondent(s) in accordance with what 3] of Title 28 U.S.C. sec. 2072 is appropriate and just under like circumstances.

Cale Estillement
To Amount Certain
IN Original Suit
Filed Dist. Ct
of Columbia
June 21, 2000

BEST AVAILABLE COPY

RELIEF REQUESTED

The Petitioner asks the above entitled court for the following relief:

That administrative judgement Claim #000123 as found on the public record as instrument number: 00707741 January 18, 2001 Washington County Recorder's Office, Utah, and the fact(s) and the Law(s) found therein by original judicial review, be adjudged as the official Declaration of the City of Angels Camp, et al, the Plaintiff's, its agency(ies) by declaratory judgement and/or just relief (1) That upon good cause appearing that it be ordered, adjudged or decreed that judgement be awarded against the Respondent(s) in favor of the Petitioner in the above entitled matter in the amount of $365,000.00, plus court costs and interest 12% percent per annum until paid. (2) For such other relief that the court deems appropriate and just under the circumstances Further Petitioner Appellant says not.

As filed Petitioners Copy of Page 14, asking for Amount Certain $365,000.00 Instead of 10,000.00 a Day only 1,000.00 a Day for over 2 yrs.

PROOF/CERTIFICATE OF SERVICE

I, Jim Martinez hereby certify that I am a man/woman living in the boundaries of the Republic of California and that I am over the age of 18 years, and not a party to the within action.

My address is: PO Box 204, Dogels Camp, Ca. 95222,

On this date: October 25, ,2002, I served the following document(s):

DOCUMENTS SERVED: Appendices to Writ of Certiorari

PARTY(S) SERVED: Federal
United States Court of Appeals — "Clerks OFFICE"
333 Constitution Avenue N.W.
Washington D.C. ZIP: 20001-2866

United States District Court
✓ Clerks Office: — "Clerks OFFICE"
555 Constitution Ave
Washington D.C. ZIP: 20001

ZIP:

HOW SERVED:

BY: Certified Mail: ✓ BY: Personal Service: ___ Other: ___

I declare that the foregoing is true, correct and not misleading, under the penalty of perjury.

Executed this 25th day, of October, 2002.

Declarant: Jim Martinez